09/970,545

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Robert L. Parker

Application No.: 09/970,545 Docket No.: 42390P11137

Filed:

10/3/01

For: Presentation of Personalized

Merchandise in an Electronic Commerce Transaction Using

**Visual Matching** 

Examiner: Thanh T. Vu

Art Unit: 2174

RECEIVED
CENTRAL FAX CENTER

FEB 0 7 2005

## AMENDMENT AND RESPONSE

COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Office action dated December 15, 2004, please amend the above-identified application as follows:

## BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

TELEPHONE: (503) 439-8778

Intellectual Property Law 12400 Wilshire Boulevard, 7th Floor Los Angeles, CA 90025 FACSIMILE: (503) 439-6073

## FACSIMILE COVER SHEET

RECEIVED
CENTRAL FAX CENTER
FEB 0 7 2005

Deliver to: Thanh T. Vu, USPTO	Art Group:2174					
Facsimile No.: <u>1-703-872-9306</u>	Date: February 7, 2005					
From: Steven P. Skabrat, Reg. No. 3	36,279					
our Docket No.: <u>42390P11137</u>	Number of pages11including this sheet.					
pplication No.: 09/970,545	Filing Date: 10/3/2001					
nclosed are the following documents:	Docket Due Date(s): 3/15/2005					
Amendment: <u>Besponse</u> ( <u>8</u> pgs)	☐ Issue Fee Transmittal					
☐ Appeal Brief (pgs)	☐ Notice of Appeal					
☐ Application:	Petition for:					
(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)					
☐ Assignment & Cover Sheet (pgs)	☐ Reply Brief (pgs)					
☐ Certificate of Facsimile	Request & Certification Under 35 USC 122(b)(2)(B)(i)					
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request					
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter					
☐ Drawings:sheets, figures	☐ Response to Written Opinion (pgs)					
Extension of Time:	☐ Terminal Disclalmer					
▼ Fee Transmittal (In duplicate)	☐ Transmittal of Publication Fee Due					
□ IDS & PTO/SB/08 ( pgs)	☐ Transmittal Letter					
Other						

I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

Susie Jenkins 02/7/2005
Date

Confidentiality Note: The documents accompanying this facsimile transmission contain information from the law firm of Blakely, Sokoloff, Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

If you do not receive all the pages, or if there is any difficulty in receiving, please call: (503) 439-8778 and ask for Susie Jenkins.

THE TRANSPORT			Complete if Known							
FEE TRANSMITTAL				Application Number		70,545				
for FY 2005					5	Filing Date		ober 3, 2001		
Patent fees are subject to annual revision.						First Named Inven		ert L. Parke		
Applicant claims small entity status. See 37 CFR 1.27.					ee 37 CFR 1.27.	Examiner Name		nh T. Vu		
TOTAL AMOUNT OF PAYMENT (\$)					(\$)	Art Unit	2174			
TOTAL AMOUNT OF PATMENT (\$)					(4)	Attorney Docket N	0 4239	OP11137		
ME	METHOD OF PAYMENT (check all that apply)									
Che	□Check □Credit card □ Money Order ☒None □Other (please identify):									
□ De	Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP									
Fo	For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)									
		arge fee(s)			•		ee(s) indicated be		for the filing fee	
ļ					underpayment of fee	(s) Credit at	ny overpayments			
	und	ler 37 CFF	R §§ 1.16,	1.17, 1.	18 and 1.20.					
FEE CALCULATION										
Large Entity Small Entity										
-	ee	Fee	Fee		Fee Description	on			Fee Paid	
	ode	(\$)	Code	(\$)						
	1051	130	2051		Surcharge - late filing fee or oath					
1	1052	50	2052		Surcharge - late provisional filing fee or cover sheet.					
2	2053	130	2053	130	Non-English specification					
1	1251	120	2251	60	Extension for reply within first month					
1	1252	450	2252	225	Extension for reply within second month					
	1253	1,020	2253		Extension for reply within third month					
•	1254	1,590	2254		Extension for reply within fourth month					
	1255	2,160	2255		Extension for reply within fifth month					
	1401	500	2401	250	· ·					
	1402	500	2402	250	Notice of Appeal					
			1		· ·····g····· · · · · · · · · · · ·					
	1403	1,000	2403		Request for oral hearing					
	1451	1,510	2451		Petition to institute a public use proceeding					
•	1460	130	2460	130	Petitions to the Commissioner					
	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)					
	1806	180	1806	180	Submission of Information Disclosure Stmt					
, ,	1809	790	1809		Filing a submission after final rejection (37 CFR § 1.129(a))					
! .	1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))						· · · · · · · · · · · · · · · · · · ·			
Other fee (specify)SUBTOTAL (2) (\$)										
						OOD TO TAI	- ( <i>-</i> /	<u>.</u>	(\$)	
SUB	MITTE							Comp	lete (if applicable)	
Name	(Print/Ty	(Paul	A Men	loņsa	_	Registration No. (Attorney/Agent)	42,879	Telephone	(503) 439-8778	
Signs	atura	$\neg$	1.	1 M	1			Date	02/07/05	

Based on PTO/SB/17 (12-04) as modified by Blakety, Solokoff, Taylor & Zafman (wir) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

FEE TO A LICKSIT	Complete if Known									
FEE TRANSMIT	IAL	Application Number		70,545						
for FY 2005		Filing Date		ber 3, 2001						
Patent fees are subject to annual revis		First Named Inventor Examiner Name		rt L. Parker h T. Vu						
Applicant claims small entity status. Se	e 37 CFR 1.27.	Art Unit	2174							
TOTAL AMOUNT OF PAYMENT	(\$)	Attorney Docket No		P11137						
METHOD OF PAYMENT (check all that apply)										
☐ Check ☐ Credit card ☐ Money Order ☑ None ☐ Other (please identify): ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐										
	Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP									
For the above-identified deposit acc	ount, the Director is h	nereby authorized t	o: (check all that e(s) indicated be	apply) low_excent f	for the filing fee					
Charge fee(s) indicated below	undernaument of fee		•	ion, encept a	.01 1110 111111111111111111111111111111					
Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.										
FEE CALCULATION					, · · <del></del>					
FEE CALCULATION										
Large Entity Small Entity										
Fee Fee Fee Fee	Fee Descripti	οń			Fee Paid					
Code (\$)   Code (\$)	i ee besaipii	<b>V</b> 11								
1051 130 2051 65	Surcharge - late filing fee or oath									
1052 50 2052 25	Surcharge - late provisional filing fee or cover sheet.									
2053 130 2053 130	Non-English specification									
1251 120 2251 60	Extension for reply within first month									
1	Extension for reply within second month									
	Extension for reply within third month									
	Extension for reply within fourth month									
l l	Extension for reply within fifth month									
G I	Notice of Appeal									
1402 500 2402 250	Filing a brief in support of an appeal									
1 !	Request for oral hearing									
I	Petition to institute a public use proceeding									
	· · · · · · · · · · · · · · · · · · ·									
1 ·	Petitions to the Commissioner  Presenting for under 27 CER 1 17/g)									
	Processing fee under 37 CFR 1.17(q)									
	Submission of Information Disclosure Stmt									
	Filing a submission after final rejection (37 CFR § 1.129(a))									
1810 790 2810 395	1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))									
Other fee (specify)										
SUBTOTAL (2)										
COURNITIES BY		<del></del>	<del></del>	Comp	lete (if applicable)					
SUBMITTED BY  Name (Print/Type) Paul A Mendonsa		Registration No. (Attorney/Agent)	42,879	Telephone	(503) 439-8778					
1/1/1/1	1	(With the Nordally)	,	Date	02/07/05					

Based on PTO/SB/17 (12-04) as modified by Blakely, Solokoff, Taylor & Zafman (wtr) 12/15/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450